

IT FURTHER APPEARING TO THE COURT that Plaintiff did not seek an entry of default from the clerk of court pursuant to Fed. R. Civ. P. 55(a) after Defendant failed to plead or otherwise defend in this matter; and

THE COURT NOTING that a party seeking relief under Fed. R. Civ. P. 55 must first obtain an entry of default from the clerk of court under Fed. R. Civ. P. 55(a) as a precondition to obtaining a default judgment, see DeTore v. Local No. 245 of Jersey City Pub. Emps. Union, 511 F. Supp. 171, 176 (D.N.J. 1981); Husain v. Casino Control Comm'n, 265 Fed. App'x 130, 133 (3d Cir. 2008) (“[E]ntry of default by the Clerk under Federal Rule of Civil Procedure 55(a) constitutes a general prerequisite for a subsequent default judgment under Rule 55(b).”);

IT IS HEREBY ORDERED that Plaintiff’s motion for default judgment is **DENIED WITHOUT PREJUDICE**. Plaintiff may re-file her motion following the clerk’s entry of default.

Dated: 12/12/2014

s/ Robert B. Kugler
ROBERT B. KUGLER
United States District Judge